

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Stropp et al.

Serial No.: 10/541,468

Group Art Unit: Not Yet Assigned

Filed: July 1, 2005

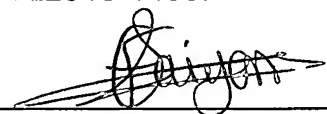
Examiner: Not Yet Assigned

For: **SINGLE NUCLEOTIDE POLYMORPHISMS AS PREDICTIVE  
DIAGNOSTICS FOR ADVERSE DRUG REACTIONS (ADR) AND DRUG  
EFFICACY**

\*\*\*\*\*

Certificate of Mailing

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Mail Stop: Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
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Foley Laiyemo

3/2/06  
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Date

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**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35  
U.S.C 371**

Commissioner for Patents  
P.O.Box 1450  
Alexandria, VA 22313-1450 Box PCT

Sir:

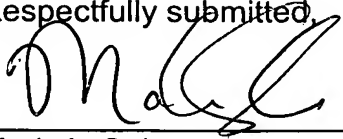
In response to the Notification of Missing Requirements mailed on February 22, 2006, enclosed herewith is an executed combined Declaration and Power of Attorney. The surcharge of **\$130** for furnishing the oat or declaration after the date of commencement of the national stage should be charged to our Deposit Account No. **50-3508**.

03/10/2006 GFREY1 00000054 503508 10541468  
01 FC=1617 130.00 DA

Please charge any additional fees or credit any over payment that may be required to our Deposit Account No. 50-3508.

Respectfully submitted,

By:

  
\_\_\_\_\_  
Mark A. Seka  
Reg. No. 44,330

March 2, 2006

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/541,468	Stephan Schwerts	LEA 36562-US

INTERNATIONAL APPLICATION NO.

PCT/EP04/00539

I.A. FILING DATE	PRIORITY DATE
01/23/2004	01/31/2003

53721

BAYER HEALTHCARE DIAGNOSTICS DIVISION  
 725 POTTER STREET  
 BERKELEY, CA 94710

CONFIRMATION NO. 8950

371 FORMALITIES LETTER



\*OC000000018086423\*

Date Mailed: 02/22/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/01/2005
- Copy of the International Search Report filed on 07/01/2005
- Copy of IPE Report filed on 07/01/2005
- Oath or Declaration filed on 07/01/2005
- Biochemical Sequence Listing filed on 07/01/2005
- Copy of references cited in ISR filed on 07/01/2005
- U.S. Basic National Fees filed on 07/01/2005
- Priority Documents filed on 07/01/2005
- Specification filed on 07/01/2005
- Claims filed on 07/01/2005
- Abstracts filed on 07/01/2005

BAYER CORPORATION

MAR 01 2006

LAW &amp; PATENTS

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - Is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**BEST AVAILABLE COPY****SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- **\$130 Surcharge.**
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

***A copy of this notice MUST be returned with the response.***

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/541,468	PCT/EP04/00539	LEA 36562-US